

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA, :
Plaintiff,
vs. : Case No. 2:24-mj-578

:
CODY LAYNE PRATER, : MAGISTRATE JUDGE DEAVERS
Defendant. :
:

**UNOPPOSED MOTION FOR EXTENSION OF TIME DURING WHICH
INDICTMENT/INFORMATION MUST BE FILED**

Now comes the Defendant, through undersigned counsel and move this Court for an order extending the time for the return of an Indictment or Information pursuant to 18 U.S.C. § 3161(b) for 30 days from March 14, 2025 to April 14, 2025. The defendant, Cody Prater is aware of his right to a timely filing of an Indictment or Information, afforded under 18 U.S.C. § 3161(b), and hereby waives those rights for the purposes of this motion. The parties believe this continuance would best serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

The United States has turned over pre-indictment discovery for review by defense counsel in an effort to see if the parties can resolve these charges with a pre-indictment plea offer. Mr. Prater faces a mandatory minimum sentence of 15 years in prison on the current charges. Should the case proceed with an indictment, it is anticipated that he could face a mandatory minimum of 25 years in prison.

On March 5, 2025, the government extended an updated plea offer to Mr. Prater. This

offer was conveyed to Mr. Prater on Friday March 7th. Mr. Prater wishes additional time to review the discovery in light of the new pending plea offer and further discuss the terms of the offer with counsel. Additional time is needed is to complete this review, allow Mr. Prater to consider the offer and draft the required documents should he accept.

This continuance of the time for the filing of an Indictment or Information would best serve the interest of justice and would not impinge on the interest of the public in a speedy trial, as pre-trial resolution will conserve significant resources by eliminating the need to expend grand jury and potentially trial jury time. Thus, this time would be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

For these reasons, defense request an extension of the time until April 14, 2025 within which an Indictment or Information may be filed in this case.

Respectfully submitted,

JOSEPH MEDICI
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
Stacey MacDonald (WA 35394)
Assistant Federal Public Defender
10 West Broad Street, Suite 1020
Columbus, Ohio 43215-3469
Telephone: (614) 469-2999
Facsimile: (614) 469-5999
Stacey_MacDonald@fd.org

Attorney for Defendant
Cody Prater

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users, and that service will be accomplished by the CM/ECF system.

/s/ Stacey MacDonald
Stacey MacDonald (WA 35394)
Assistant Federal Public Defender